



PATENTS  
ATX-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5

Applicants : Vahid Saadat et al.  
Serial No. : 09/271,094  
Filed : March 17, 1999  
For : APPARATUS AND METHODS FOR STIMULATING  
REVASCULARIZATION AND/OR TISSUE GROWTH  
Group : 3731  
Examiner : William Lewis

Hon. Assistant Commissioner  
for Patents  
Washington, D.C. 20231

TERMINAL DISCLAIMER

Sir:

ANGIOTRAX, INC., having a place of business at  
743 N. Pastoria Avenue, Sunnyvale, California 94086-2918,  
being the owner by Assignment recorded in the  
United States Patent and Trademark Office on May 27, 1997 at  
Reel 8598, Frames 0995 through 0997 of the entire right,  
title and interest in, to and under United States patent  
application Serial No. 08/863,877 (hereinafter the '877  
application), filed May 27, 1997, now United States Patent  
No. 5,910,150 (hereinafter, the '150 patent);

and being the owner by Assignment recorded in the  
United States Patent and Trademark Office on May 27, 1997 at  
Reel 8584, Frames 0826 through 0828 of the entire right,  
title and interest in, to and under United States patent  
application Serial No. 08/863,791 (hereinafter the '791

application), filed May 27, 1997, now United States Patent No. 5,931,848 (hereinafter, the '848 patent);

and being the owner by Assignment recorded in the United States Patent and Trademark Office on April 26, 1999 at Reel 9916, Frames 0776 through 0781 of the entire right, title and interest in, to and under United States patent application Serial No. 09/271,094 (the '094 application), filed March 17, 1999 as a continuation-in-part of the '877 and '791 applications;

hereby disclaims the terminal part of any patent granted on the '094 application which would extend beyond the expiration of '150 patent or the '848 patent, and hereby agrees that any patent so granted on the '094 application shall be enforceable only for and during such period that the legal title to the '150 patent and the '848 patent shall be the same as the legal title to any patent to be granted on the '094 application, this agreement to run with any patent granted on the '094 application and to be binding upon the grantee, its successors or assigns.

I hereby declare that I understand the English language, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

IN WITNESS WHEREOF, ANGIOTRAX, INC. has this day of January 6, 1999, caused this Terminal Disclaimer to be signed by its attorney of record pursuant to 37 C.F.R. § § 1.321(c)(1) and (b)(1)(iv), at the direction of a duly authorized corporate officer.

ANGIOTRAX, INC.

By Nicola A. Pisano  
Nicola A. Pisano, Esq.  
Attorney of Record

CERTIFICATION UNDER 37 C.F.R. § 3.73

I hereby certify that I have reviewed a copy of the Assignments for the '094 application, the '150 patent, and the '848 patent, as recorded in the United States Patent and Trademark Office, and state that to the best of the assignee's knowledge and belief, title to all of the '094 application, the '150 patent, and the '848 patent are in the assignee, ANGIOTRAX, INC., which is seeking hereinabove to disclaim the terminal part of any patent granted on the '094 application.

ANGIOTRAX, INC.

Dated: April 03, 2000

By Nicola A. Pisano  
Nicola A. Pisano, Esq.  
Attorney of Record

I hereby Certify that this  
Correspondence is being  
Deposited with the U.S.  
Postal Service as First  
Class Mail in an Envelope  
Addressed to: ASSISTANT  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231, ON

04-04-2000  
LILY X. JIANG  
[Signature]  
Signature of Person Signing